

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

ROBERT T. STOOKSBURY, JR.,)
)
Plaintiff,)
) No. 3:09-CV-498
) (VARLAN/GUYTON)
v.)
)
MICHAEL L. ROSS, *et al.*,)
)
Defendants.)

ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is a Motion for Order to Show Cause [Doc. 1026], filed by the Receiver. Therein, the Receiver alleges that Mr. Ted Doukas and his related entities have failed to comply with the Court's July 29, 2013 Memorandum and Order and respond to the Receiver's outstanding requests for documents. On September 22, 2013, the Doukas entities filed a response stating *inter alia* that: documents were to be scanned into electronic form and made available to the Receiver, Capital Bank would produce discovery directly to the Receiver, and hard drives were made available to the Receiver. [Doc. 1038]. The parties filed additional supplemental filings [Docs. 1052, 1061], but the Court finds that the current status of the discovery dispute is not clear from these filings.

Accordingly, counsel for the Receiver is **ORDERED** to file a sworn statement from counsel or the Receiver stating the current status of the alleged failure to respond to discovery addressed in the Motion for Order to Show Cause [Doc. 1026]. Specifically, the sworn statement **SHALL** state the current status of the twelve categories of discovery addressed in the motion, [id. at 6-8], and **SHALL** state whether the actions the Doukas entities stated they would undertake in their response – *i.e.* that documents were to be scanned into electronic form, that Capital Bank would produce discovery directly to the Receiver, and that hard drives were made available to the Receiver – were completed. The Receiver or his counsel shall file this sworn statement on or before **January 13, 2014**, and the Doukas entities will have up to and including **January 20, 2014**, to file a sworn statement in rebuttal.

IT IS SO ORDERED.

ENTER:

/s H. Bruce Guyton
United States Magistrate Judge